

**RED HOOK TOWN BOARD MEETING
DRAFTED MINUTES
June 14, 2022**

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened by Zoom Videoconference due to COVID-19 pandemic stay in place rules at the Town Hall, 7340 South Broadway, Red Hook at 7:30 p.m.

Present: Supervisor Robert McKeon
Councilmember William Hamel
Councilmember Christine Kane
Councilmember Jacob Testa
Councilmember Julia Solomon
Town Clerk Deanna Cochran

Also Present: Attorney for the Town Christine Chale Esq.

Supervisor McKeon opened with the Pledge of Allegiance and reviewed the agenda.

ANNOUNCEMENTS-

Early voting starts Saturday, June 18, 2022 available at the Rhinebeck Town Hall. More information can be found on the Town's website www.redhook.org.

At the June 8, 2022 Joint Board meeting of the Hudson River Valley Greenway, the Saw Kill Red Hook Trail was designated as the newest segment of the Hudson River Valley Greenway Trail System.

SUPERVISORS REPORT:

The Supervisor's Report for the period of May 1, 2022 to May 31, 2022 was read as follows: Opening Balance - \$10,266,384.93; Receipts - \$828,944.98; Disbursed - \$1,338,323.94; Balance - \$9,757,005.97 Supervisor McKeon reviewed the variance reports and budget adjustments.

On a motion of Councilmember Hamel seconded by Councilmember Solomon to approve the Supervisor's report.

Adopted Ayes 5 McKeon, Hamel, Kane, Testa, Solomon
 Nays 0

TOWN CLERK'S REPORT

The Town Clerk's report for the period May 1, 2022 to May 31, 2022 was read as follows: Total Local Shares remitted to the Supervisor - \$5,771.52; Amount remitted to NYS Ag. & Markets - \$52.00; Amount remitted to NYS Dept. of Health for Marriage Licenses - \$157.50; Amount remitted to NYS Environmental Conservation Dept - \$607.98; Total State, County, and Local revenues \$6,589.00. Vouchers 28973-29097 were processed in April, 2022 and Vouchers 29098-29235 were processed in May, 2022.

Town Clerk Deanna Cochran explained the amendments correcting a date and name to Resolution 30 approved May 25, 2022.

**TOWN OF RED HOOK
RESOLUTION NO. 30 (AMENDED)
DATED MAY 25, 2022**

**RESOLUTION ACCEPTING THE NAME OLD SYCAMORE LANE
FOR THE COMMON DRIVE LOCATED WITHIN
SYCAMORE ACRES SUBDIVISION AT YANTZ ROAD**

WHEREAS, by Resolution dated October 18th, 2021, the Red Hook Planning Board granted final approval to the Sycamore Acres Subdivision shown on Filed Map 12152A ("Filed Map"); and

WHEREAS, a Declaration of Easement & Driveway Maintenance Agreement (“Maintenance Agreement”) dated January 14th, 2022 executed by Trilby Sieverding was recorded February 8th, 2022 in the office of the Dutchess County Clerk as Document No. 02 2022 545 with respect to the common driveway depicted on the Filed Map accessing Yantz Road; and

WHEREAS, all property owners shown as having access via the common driveway (“Owners”) have requested approval for a common driveway name of Old Sycamore Lane; and

WHEREAS, the Dutchess County Department of Emergency Response has confirmed that there are no conflicts with the proposed name;

NOW THEREFORE BE IT RESOLVED, by the Town Board (the “Board”) of the Town of Red Hook, Dutchess County, New York (the "Town") (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Town Board hereby approves name “Old Sycamore Lane” for the common driveway as shown on Filed Map 12152A, subject to the Maintenance Agreement, and further subject to the provisions of the Planning Board subdivision approval and compliance with the Town highway specifications and other requirements of law. Appropriate signage shall be posted with the name of the common driveway in accordance with the Town highway specifications and the County’s 911 laws, and such signage and its maintenance shall be the responsibility of the Owners.
2. A certified copy of this resolution shall be provided to Dutchess County Real Property Tax Service Agency and the Dutchess County Department of Emergency Response.
3. The Town Clerk shall send notification of this resolution to the Town of Red Hook Planning Board and the Owners.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York, was convened in public session via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on May 25, 2022 at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such Executive Order.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference):

	Present	Absent
Supervisor Robert McKeon	VIA videoconference	
Councilmember William Hamel	VIA videoconference	
Councilmember Christine Kane	VIA videoconference	
Councilmember Julia Solomon		X
Councilmember Jacob Testa	VIA videoconference	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town, VIA Videoconference

The following resolution was offered by Supervisor McKeon, seconded by Councilmember Kane, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 30 (AMENDED)
DATED MAY 25, 2022**

**RESOLUTION ACCEPTING THE NAME OLD SYCAMORE LANE
FOR THE COMMON DRIVE LOCATED WITHIN
SYCAMORE ACRES SUBDIVISION AT YANTZ ROAD**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember Julia Solomon	VOTING <u>Absent</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

On a motion of Councilmember Testa seconded by Supervisor McKeon to approve the Town Clerk's report.

Adopted	Ayes 5	McKeon, Hamel, Kane, Testa, Solomon
	Nays 0	

Public Comment – Tom Sullivan, resident of Red Hook, voiced concerns about the proposed path connecting Rec Park East and Rec Park West. He stated that widening Fruit Bud Lane would make the road too wide and cause problems such as flooding and affect aesthetics. He suggested a five-foot-wide sidewalk would be more than adequate.

Supervisor McKeon responded the engineers have yet to make a specific suggestion, but the safer choice for bicycles and children is to narrow the portion of the road for cars to accommodate the proposed wider multimodal path. He also responded to Sullivan's question that the engineer's report could be ready by the fall of 2022.

Public Hearing- Regarding the franchise renewal agreement between the Town and Spectrum LLC

Supervisor McKeon opened the public hearing.

On a motion of Supervisor McKeon seconded by Councilmember Solomon to open the Public Hearing

Adopted	Ayes 5	McKeon, Hamel, Kane, Testa, Solomon
	Nays 0	

Supervisor McKeon explained the franchise renewal agreement. He recommended adjourning the Public Hearing until the July 12, 2022 Town Board Meeting because the Town is waiting on Spectrum Northeast LLC.

Public Comment- There was no comment.

On a motion of Supervisor McKeon seconded by Councilmember Hamel to adjourn the Public Hearing until the July 12, 2022 Town Board meeting at 7:35pm.

Adopted	Ayes 5	McKeon, Hamel, Kane, Testa, Solomon
	Nays 0	

Resolution Authorizing Application for Farm Labor Housing Project under the CDBG-CV Fund

Supervisor McKeon explained the resolution.

**TOWN OF RED HOOK
RESOLUTION NO. 36
DATED JUNE 14, 2022**

RESOLUTION AUTHORIZING APPLICATION FOR FARM LABOR HOUSING PROJECT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT NY CDBG-CV FUND

WHEREAS, the Town has been notified that funding in the current NY CDBG-CV Fund round funded through the 2020 Cares Act may be available for Farm Labor Housing; and

WHEREAS, input from citizens and groups has been received and considered; and

WHEREAS, an application has been prepared which addresses our community concerns;

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Red Hook as follows:

1. The CDBG-CV Fund/2020 Cares Act grant application in the amount of \$1,000,000 for a project to improve farm labor housing conditions, including the certifications included therein, is hereby approved. The application would include a proposal for Hudson River Housing, Inc. to assist the Town as project manager/subrecipient.
2. The submission of said application to the NYS Office of Community Renewal is hereby authorized.
3. This resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session on June 14, 2022 at 7:30 p.m., local time via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon	Via Videoconference	
Councilmember William Hamel	Via Videoconference	
Councilmember Christine Kane	Via Videoconference	
Councilmember Julia Solomon	Via Videoconference	
Councilmember Jacob Testa	Via Videoconference	

The following persons were ALSO PRESENT:

The following resolution was offered by Supervisor McKeon, seconded by Councilmember Kane, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 36
DATED JUNE 14, 2022**

**RESOLUTION AUTHORIZING APPLICATION FOR FARM LABOR HOUSING
PROJECT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT NY CDBG-
CV FUND**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember Julia Solomon	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

Resolution Approving Procedures for Videoconferencing
Supervisor McKeon explained the resolution.

**TOWN OF RED HOOK
RESOLUTION NO. 37
DATED JUNE 14, 2022**

APPROVING PROCEDURES FOR VIDEOCONFERENCING

WHEREAS, Chapter 56 of the Laws of 2022 amended the Open Meetings Law to authorize the use of videoconferencing to conduct public meetings subject to certain conditions set forth therein, and the Town has adopted a local law authorizing such use;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Red Hook, Dutchess County, New York (the “Town”) (by the favorable vote of not less than a majority of all of the members of the Board) that the Videoconferencing Policy in the form on file with the Town Clerk is hereby approved and adopted for the conduct of Meetings and Public Hearings of public bodies of the Town via videoconferencing.

**VIDEOCONFERENCING POLICY
TOWN OF RED HOOK
Approved June 14, 2022**

Members of the Town Board, Planning Board, Zoning Board, Board of Assessment Review, Board of Ethics, or any other public body subject to the Public Officers Law Article 7 (“OML”) may participate in a meeting by using videoconferencing technology in compliance with this policy. This policy may be amended from time to time by the Town Board by resolution. This policy shall be posted on the Town’s website.

Location or Locations of Board Attendance. At least a quorum of the members of the public body must be participate from (i) Town Hall, or (ii) any other location or location open to the public in facilities that permit barrier-free physical access to the physically handicapped in compliance with the OML (each a “Meeting Location”). A Meeting Location shall be within the US. For example, a meeting may be held via videoconference where three members of a five member public body are physically present in the Town Hall and the public is allowed to attend at that Meeting Location or three members of a five-member public body are participating via videoconference but from three different locations and the public is allowed to be physically present at each of those Meeting Locations.

Extraordinary Circumstances. Members of the public body must be physically present at one of the Meeting Locations at which the public can attend in person unless the member is unable to be

physically present due to extraordinary circumstances, which include disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. Such significant or unexpected factor may include vacation periods or periods when a member is working away from their home location, not exceeding four weeks in a calendar year, or when a member is unable to attend at a Meeting Location as a result of unexpected travel difficulties. As soon as practicable the member who is unable to attend at a Meeting Location will notify the Town Clerk, in the case of the Town Board, or presiding officer and clerk or secretary, in all other cases, that they are unable to attend for a reason that constitutes such extraordinary circumstance.

Public participation. If a member of a public body participates via videoconference, and there is a public comment period or public hearing included in the meeting agenda, the public may participate via videoconference. For Town Board meetings, the public may contact the Town Clerk via email by 2:00 p.m. the date of the meeting and provide an email address to obtain the video link. For other boards and committees subject to OML, if a meeting is to be held via videoconference, the meeting notice posted on the website will either include the link 24 hours before the meeting or will inform the public as to where to send the request for the videoconference link.

Notice of Meetings. If a public body uses videoconferencing to conduct a meeting, the public notice for the meeting must inform the public that videoconferencing will be used, must identify where required documents and records will be posted or available, and must include directions for how the public can view and/or participate in such meeting via videoconference. The notice also must include the Meeting Location or Meeting Locations where the quorum of the body will be located. The meeting notice should be provided to the Town Clerk in time for the notice to be posted and given to the media, including posting on the Town website. In order to assure compliance with the notice requirements, each public body will determine and direct its presiding officer as to whether to arrange for videoconferencing for every meeting. If not so directed, videoconferencing may be used from time to time when the presiding officer, in their discretion, determines that such videoconferencing is necessary or convenient to the effective participation of one or more board members, taking into account the requirements of this policy for publication and notice.

Minutes and Record. Minutes of a meeting held via videoconferencing must identify members of the public body who participated via videoconference. Minutes shall be made available consistent with the provisions of OML Section 106, which requires that minutes must be made available within one week of executive session and two weeks of a regular meeting. A transcription of the meeting, which may be prepared using the automatic transcription available through the videoconferencing technology, need only be done upon request.

Website Posting. A recording of the meeting must be posted or linked to the Town website within five business days of the meeting. The Town Clerk shall be responsible for the posting of records of meetings of the Town Board. The presiding officer of each other board required to comply with PAL Section 103-a shall designate in a written notice to the Town Clerk the person (presiding officer, clerk or secretary of such board or committee) responsible for posting their minutes and records of meeting. The records of meeting shall remain so posted or linked for a period of 5 years from the date of the meeting.

Technology. Unless otherwise approved by the Town Board, public bodies using videoconferencing will use the system subscribed by the Town, currently Zoom. All login credentials to access records of meetings will be provided to the Town Clerk. The public body must use videoconferencing technology that allows members of the public with disabilities to participate in a manner consistent with the American with Disabilities Act. Closed captioning should be enabled.

Emergencies. If the governor, county, or town declares a state of emergency pursuant to Executive Law § 24, members of a public body are permitted to videoconference from locations that are not accessible to the public for the duration of the state of emergency to the extent determined necessary by the public body.

Continuation of COVID emergency: Public bodies may continue to conduct meetings following the remote meeting procedure that was authorized pursuant to Executive Order 11 and Chapter 1 of the Laws of 2022 during the COVID pandemic to the extent permitted by law.

EXTRACT OF MINUTES

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The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

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Councilmember William Hamel	Via Videoconference	
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Councilmember Julia Solomon	Via Videoconference	
Councilmember Jacob Testa	Via Videoconference	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town, VIA Videoconference

The following resolution was offered by Supervisor McKeon, seconded by Councilmember Kane, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 37
DATED JUNE 14, 2022**

APPROVING PROCEDURES FOR VIDEOCONFERENCING

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>
Councilmember Julia Solomon	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

Discussion- CFA Grant Opportunities

Supervisor McKeon began the discussion and explained the different grant opportunities available to the Town of Red Hook. He added the Board should be prepared to discuss these options at the next Town Board meeting.

Discussion- Housing Needs

Supervisor McKeon began the discussion.

Dutchess County arranged for a study group to look at housing needs in the county. Highlights of their findings include identifying a shortage of housing for people in the \$35,000-\$50,000 income range, a need for large housing complexes, and interventions are necessary.

Supervisor McKeon noted some of the changes found in market conditions and affordability such as demographics, housing sizes, and income disparities and also discussed comparisons of the rental sub-markets in the different areas of Dutchess County.

Councilmember Kane noted some households with annual incomes less than \$50,000 could be living on retirement income and those concerns should be addressed.

Councilmember Solomon added the market is better equipped to supply those with higher incomes than those with lower incomes therefore the focus should be on those with greater need.

Councilmember Hamel asked how the County was able to differentiate between homeowners and those who rent. Supervisor McKeon answered this information could be found in the statistics of each data point, but much of that information was found in the American Community Surveys.

Supervisor McKeon reviewed the results and analysis of possible future scenarios and strategies of action. Councilmember Solomon clarified the County goal of 108 additional interventions was aimed at households with incomes less than \$50,000 which included renters.

Supervisor McKeon reviewed some goals for addressing housing needs and some tools recommended by the County to help to achieve those goals.

Councilmember Hamel asked if there was any discussion concerning mobile homeowners, as they are both owners of a housing structure and renters of the land the on which the structure sits. Supervisor McKeon added there wasn't too much discussion on this but agreed this proposed an unusual situation.

On a motion by Supervisor McKeon seconded by Councilmember Hamel to enter into Attorney Client Session

Adopted Ayes 5 McKeon, Hamel, Kane, Testa, Solomon
 Nays 0

9:28pm On a motion by Councilmember Hamel seconded by Councilmember Kane to exit the Attorney Client Session

Adopted Ayes 5 McKeon, Hamel, Kane, Testa, Solomon
 Nays 0

Resolution Authorizing the Commencement of Litigation Regarding Code Violates know as 21 Harvard Street in the Town of Red Hook

Supervisor McKeon explained the resolution.

**TOWN OF RED HOOK
RESOLUTION NO. 38
DATED JUNE 14, 2022**

**RESOLUTION AUTHORIZING THE COMMENCEMENT OF LITIGATION
REGARDING CODE VIOLATIONS AT THE APPARENTLY ABANDONED AND
VACANT PROPERTY KNOWN AS 21 HARVARD STREET IN THE TOWN OF RED
HOOK**

WHEREAS, the Building Department has reported that a property known as 21 Harvard Street, Red Hook, New York, 12571 (SBL: 6273-09-193637), a quarter-acre lot which is the situs of a single-family home of approximately 1,000 square feet (the "Property"), is in a severely dilapidated state, including an unmowed lawn, large amounts of refuse on and about the property, and smashed or missing windows, and is unsafe; and,

WHEREAS, according to the Assessor's rolls the Property is owned by Hannah F. Dupont ("Dupont") who is responsible for the upkeep of the property including, but not limited to, ensuring the property complies with applicable provisions of the Town of Red Hook Code ("Town Code") as well as the New York State Uniform Fire Prevention and Building Code ("Uniform Code"); and,

WHEREAS, there has been, since May 2009, an ongoing foreclosure case brought against the Property by the primary mortgagee of the Property, HSBC Bank USA, National

Association (“HSBC”) which was filed as Index No. 2009-3655 and is currently pending as Index No. 2022-80007, in which Dupont nor any other Mortgagor or party in interest other than HSBC has ever appeared or participated; and,

WHEREAS, RPAPL § 1307 requires a foreclosing party to undertake basic maintenance of a vacant residential property which would include, but not be limited to at the Property at issue here, the remediation of the unshorn lawn, large amounts of refuse on and about the property, and smashed or missing windows; and,

WHEREAS, based on the recommendation of the building department that the Property is unsafe and in violation of the Town Code and the Uniform Code, the Town of Red Hook desires to see that the dangerous derelict Property be remediated and brought into compliance with the Town Code and Uniform Code and further that it be maintained in compliance with the same going forward;

NOW THEREFORE, BE IT RESOLVED by the Town of Red Hook that:

The Board hereby finds that the Property has become unsafe by reason of the elements and general deterioration which constitutes a hazard to public health, safety and welfare by reason of inadequate maintenance, dilapidation, and abandonment pursuant to Town Code Section 52-2.

Commencement and prosecution of any and all civil action(s) in the Supreme Court, Dutchess County to declare the Property vacant and/or to ensure HSBC, Dupont, or any other party in interest remediates and maintains the Property consistent with RPAPL § 1307, the Town Code, and the Uniform Code, on behalf of the Town and its residents by Rodenhause Chale & Polidoro LLP is hereby authorized and approved.

The Supervisor as well as the officers and employees of the Town are authorized and directed to take all appropriate steps in furtherance of the foregoing provisions of this Resolution.

This Resolution shall be effective immediately upon its adoption.

EXTRACT OF MINUTES

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session on June 14, 2022 at 7:30 p.m., local time in person (via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon	Via Videoconference	
Councilmember William Hamel	Via Videoconference	
Councilmember Christine Kane	Via Videoconference	
Councilmember Julia Solomon	Via Videoconference	
Councilmember Jacob Testa	Via Videoconference	

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town, Via Videoconference

The following resolution was offered by Supervisor McKeon, seconded by Councilmember Kane, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. 38
DATED JUNE 14, 2022**

**RESOLUTION AUTHORIZING THE COMMENCEMENT OF LITIGATION
REGARDING CODE VIOLATIONS AT THE APPARENTLY ABANDONED AND
VACANT PROPERTY KNOWN AS 21 HARVARD STREET IN THE TOWN OF RED
HOOK**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING <u>Aye</u>
Councilmember William Hamel	VOTING <u>Aye</u>
Councilmember Christine Kane	VOTING <u>Aye</u>
Councilmember Jacob Testa	VOTING <u>Aye</u>
Councilmember Julia Solomon	VOTING <u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

On a motion by Supervisor McKeon seconded by Councilmember Kane to adjourn the meeting.

Adopted	Ayes 5	McKeon, Hamel, Kane, Testa, Solomon
	Nays 0	

Respectfully Submitted,

Deanna Cochran, Town Clerk